

REMARKS

Claim 13 has been amended for greater clarity. The claim amendments are fully supported by Applicants' specification and original claims. No new matter has been introduced.

Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner will be addressed below in the order they appear in the prior Office Action.

Claim Rejections under 35 U.S.C. § 102(b)

Claims 13, 16, and 32-38 are rejected under 35 U.S.C. § 102(b), as allegedly being anticipated by Ruoslahti et al. (U.S. Patent No. 5,654,270). Specifically, the Examiner alleges that the cited prior art inherently teaches the instant invention.

Applicants respectfully traverse this rejection.

Applicants reiterate the arguments already made of record and contend that Ruoslahti et al. fail to anticipate the present invention. Nevertheless, solely for greater clarity, Applicants have amended independent claim 13 to recite (1) a cell in need of activation of a membrane, and (2) an amount effective to potentiate agrin-induced phosphorylation of muscle, skeletal, receptor tyrosine kinase (MuSK). The amendments are made solely to expedite prosecution of the application, and Applicants reserve the right to prosecute claims of similar or differing scope in subsequent applications.

By contrast, Ruoslahti et al. fail to teach or suggest a method which involves use of a cell in need of activation of a membrane or an amount of the biglycan therapeutic effective to potentiate agrin-induced phosphorylation of MuSK. Further, Applicants submit that the Examiner has provided no evidence or reasoning that cells in need of such treatment were included in the cells treated in the Ruoslahti et al. Absent such evidence or reasoning, there is no basis for stating that the claimed method was inherently practiced by Ruoslahti et al.

For these reasons, Ruoslahti et al. do not expressly or inherently anticipate the instant claims. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim Objections


Applicants note that the Examiner has acknowledged that claim 39 would be allowable if rewritten in independent form including all of the limitations of the base claim.

CONCLUSION

For the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the pending rejections. Applicants believe that the claims are now in condition for allowance and early notification to this effect is earnestly solicited. Any questions arising from this submission may be directed to the undersigned at (617) 951-7000. If any other fee is due, please charge our Deposit Account No. 18-1945 from which the undersigned is authorized to draw, under Order No. **BURF-P02-006**.

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Respectfully submitted,

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